

REMARKS

In the Office Action of May 5, 2003, the Examiner rejected claims 2-6 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as their invention. The Examiner noted that the phrase "the interpreting step" of claim 2 lacked proper antecedent basis. Applicants have amended claim 2 and respectfully submit that this rejection has been overcome. No new matter was added by this amendment.

The Examiner also rejected pending claims 1-4, 7, and 12-17 under 35 U.S.C. §102(e) as being unpatentable over Leighton et al. (U. S Patent No. 6,108,703). The Examiner argued that Leighton discloses a system and method for providing multimedia contents to users over the network comprising: receiving the base information associated with a user request from a content service provider, the information including embedded links/references to contents stored at one or more hosting content servers that are closest to the user; accessing the referenced contents from the hosting content servers; and displaying the received information and the accessed contents. Applicants respectfully traverse this rejection.

Applicants disagree that Leighton discloses all of the elements of Applicants' claimed invention as amended. Leighton discloses a system very similar to the Akamai model discussed on page 5 of Applicants' patent application. Because Leighton is directed to serving web pages, instead of email communications, Leighton discloses a model placing the same static content on multiple servers for delivery to requesting

users. Like the Akamai model, Leighton's model puts content repeatedly over a large number of servers, and is thus wasteful and inefficient.

Leighton fails to disclose multiple elements of Applicants' claimed invention. Specifically, Leighton fails to disclose methods relating to email communications as recited in Applicants' amended claim 1. For example, Leighton fails to disclose "receiving information associated with the email communication" or "displaying the email communication using the received information and the accessed content." While not clear from the Examiner's rejection, it appears that the Examiner is equating the content servers of Applicants' claimed invention with the ghost sites of Leighton. However, the ghost sites of Leighton merely hold content that is referenced with respect to a web page, not with respect to an email communication. Nothing within Leighton discloses or suggests content being referenced as being part of an email communication. As a result Leighton is forced to duplicate the content across thousands of servers or ghost sites. Claims 2-4 further define over Leighton at least because of their dependency from independent claim 1. Claims 7 and 12-17 are similar in scope to that of claims 1-4 and are therefore patentable at least for the same reasons set forth above.

The Examiner rejected claims 5-6, 8-11, and 18 under 35 U.S.C. § 103(a) as being unpatentable over Leighton and further in view of Raz (U.S. Patent No. 6,311,221). Because these claims contain limitations similar to those discussed above, namely being directed to email communications, these claims are also patentable over Leighton in view of Raz for at least the reasons set forth above.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

Serial No. 09/545,653
Attorney Docket No. 8036.0002
Reply Filed November 5, 2003

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please charge any fees due in connection with the filing of this Reply to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

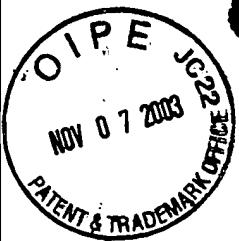
Dated: November 5, 2003

By: 
Douglas S. Weinstein
Reg. No. 43,249

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

21548



PATENT
Customer No. 22,852
Attorney Docket No. 8036.0002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Aaron M. SHAPIRO et al.

Application No.: 09/545,653

Filed: April 10, 2000

For: METHODS AND SYSTEMS FOR
RECEIVING AND VIEWING
CONTENT-RICH
COMMUNICATIONS

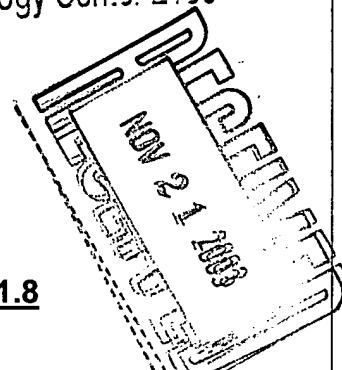
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RECEIVED

NOV 14 2003

Technology Center 2100



CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Services under 37 C.F.R. § 1.8 on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on November 5, 2003

Date

A handwritten signature in black ink that reads "Pat Burger". It is written in a cursive style with a long horizontal line extending to the right.

Pat Burger

Enclosures:

1. Petition for Extension of Time (3 months) (1 page)
2. Reply to Office Action (9 pages)
3. Receipt Post Card